

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

ALEX ISALES PHOLKONG,
Defendant

Cr. No.

2004 M 0465 RBC

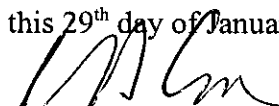
AFFIDAVIT IN SUPPORT OF RULE 5 PROCEEDING

I, Dan Bull, Special Agent, United States Drug Enforcement Administration, do hereby make oath before the Honorable Robert B. Collings, United States Magistrate Judge for the District of Massachusetts, that upon knowledge coming to me in connection with my official duties and as part of the official records of my office, I am aware that, on January 24, 2004, Alex Isales Pholkong was arrested on probable cause in South Boston, Massachusetts, for conspiracy to possess with intent to distribute heroin. I am advised that there is presently an outstanding arrest warrant for Alex Isales Pholkong on a complaint filed in the United States District Court for the Eastern District of New York charging the defendant with conspiracy to possess with intent to distribute heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 846, and I do hereby make oath that this warrant of arrest is outstanding in said District on the basis of the information set out above. A copy of said warrant and complaint is attached.

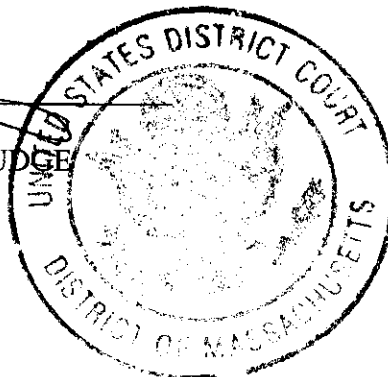


Dan Bull, Special Agent
Drug Enforcement Administration
United States Department of Justice

Subscribed and sworn to before me
this 29th day of January, 2004



HON. ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF MASSACHUSETTS



W (Rev. EDNY 1996) Warrant for Arrest

UNITED STATES DISTRICT COURTEASTERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA

V.

WARRANT FOR ARREST

ALEX ISALES PHOLKONG,

CASE NUMBER:

Defendant.

TO: The United States Marshal
 Special Agent Robertjohn Wolbach, DEA
 and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest ALEX ISALES PHOLKONG
 Name

and bring him forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition

charging him with (brief description of offense)

knowingly and intentionally conspire to distribute and possess with intent
 to distribute a controlled substance, which offense involved a substance
 containing heroin, a Schedule I controlled substance.

in violation of Title 21 United States Code, Section(s) 846

Name of Issuing Officer

UNITED STATES MAGISTRATE JUDGE

Title of Issuing Officer

Signature of Issuing Officer

January 26, 2004Brooklyn, New York

Date and Location

Bail fixed at \$ _____ By UNITED STATES MAGISTRATE JUDGE**RETURN**

This warrant was received and executed with the arrest of the above name defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING
OFFICER:SIGNATURE OF ARRESTING
OFFICER

MM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

ALEX ISALES PHOLKONG,

Defendant.

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

(21 U.S.C. § 846)

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ROBERTJOHN WOHLBACH, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between November 2003 and January 25, 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Section 846)

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Special Agent with the Drug Enforcement Administration. My information in this case comes from personal involvement with this investigation, conversations with other agents, and conversations with witnesses who have firsthand knowledge of the facts described herein.

2. On the evening of January 23, 2004, during the investigation of a narcotics conspiracy partially based in Queens, a confidential source ("CS") was arrested receiving one kilogram of heroin as part of a controlled delivery. The CS admitted his participation in the offense and agreed to assist the government. He made contact with his superior in the narcotics organization and was informed that he was to deliver the heroin to Boston. The CS informed agents that he had previously delivered a kilogram of heroin to Boston from New York in November 2003.


3. The CS was given the telephone number of an individual to contact in Boston and traveled to Massachusetts with the agents. When they arrived in Boston, the CS left a message at the number he was provided and told his contact to meet him at a diner.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not set forth all of the facts and circumstances of which I am aware.

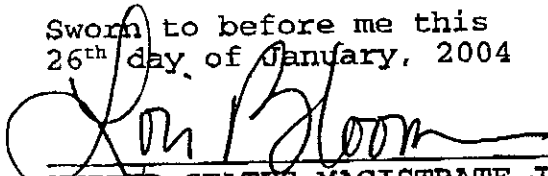
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4. Agents observed the defendant ALEX ISALES PHOLKONG arrive at the diner and speak with the CS. According to the CS, the defendant observed the vehicle being used for surveillance and told the CS to get into the defendant's car so that they could drive away. Agents then arrested the defendant. Following his arrest, the defendant was informed of his rights and agreed to speak with agents. He confirmed that he knew that he was to receive narcotics from CS and that he had previously received one kilogram of heroin from the CS in November 2003.

WHEREFORE, your deponent respectfully requests a warrant issue for the arrest of the defendant ALEX ISALES PHOLKONG so that he may be dealt with according to law.

 01/26/04
ROBERT JOHN WOHLBACH
Special Agent
Drug Enforcement Administration

Sworn to before me this
26th day of January, 2004


UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK